

PLANNING & ZONING COMMISSION



Robb Parish
Commission Chair
P&Z@ci.moscow.id.us

Regular Meeting ~Minutes~

Mike Ray
Staff Liaison
208.883.7008

<https://www.ci.moscow.id.us/457/Planning-Zoning-Commission>

**Wednesday
May 12, 2021**

7:00 PM

**Council Chambers
206 E Third Street**

The meeting was called to order at 6:59 PM

MEMBERS PRESENT: Robb Parish, Chair; Drew Davis, Scott Gropp, Joel Hamilton (virtual), Michael Nelsen, Nels Reese, Victoria Seever
MEMBERS ABSENT: Rich Beebe, Dennis Wilson
OTHERS: Maureen Laflin (virtual)
STAFF: Jennifer Fleischman, Mike Ray

REGULAR AGENDA

1. Approval of April 28, 2021 Minutes (ACTION ITEM)

Seever moved for approval of the minutes as presented, seconded by Nelsen. Vote by Acclamation; Ayes: Unanimous (7). Nays: None. Abstentions: None. Motion carried.

2. Public Comment

Time limit 15 minutes. Members of the Public may speak to the Commission regarding matters NOT on the Agenda nor currently pending before the Planning and Zoning Commission. Please state your name and resident city for the record and limit your remarks to three minutes.

None.

3. Public Hearing: Proposal for a Comprehensive Plan Land Use Designation, Zoning Designation, and a Preliminary Subdivision Plat for a 235-Acre Property Proposed to be Annexed into the City of Moscow and Generally Located South of the West Palouse River Drive Ball Fields Property and West of the Schweitzer Engineering Laboratories Property within the City of Moscow: Permit Applications LUP2021-0011 and LUP2021-0012 (ACTION ITEM)

1. Comprehensive Plan Land Use Designation amendment from a combination of Auto-Urban Residential and Rural and Agricultural to the High-Density Residential and Auto-Urban Residential designations.
2. Rezoning of the subject property from the Agriculture Forestry (AF) Zone to a combination of the Residential Office (RO) Zone and the Medium Density Residential (R-3) Zone.
3. Proposed Preliminary Plat of a 27-acre area to create 105 lots ranging from 2,328 to 63,105 square feet in size, referred to as Edington Subdivision.

Ray presented on the proposals as described above, providing information on all three of the requested actions separately. The annexation request was not part of the decision before the Commission, but would be acted upon by City Council. A developer participation agreement request is pending before City Council as well, for financial contribution to participate in construction of the bridge that would span the South Fork of the Palouse River and the extension of Conestoga Street to the southern boundary of the City of Moscow ball fields property. Staff recommended approval of the applications with one condition from Engineering on the preliminary plat.

Adequate sewer and water service flow are currently available for the proposed 27-acre subdivision plat. The Parkland Dedication amount is calculated based on the net developable area of the entire property.

Public Hearing opened at 7:26 PM

Scott Sumner (applicant), Moscow, spoke for BBC LLC regarding the reasons behind creating a new subdivision at the southern portion of town. Discussed some challenges of creating residential lots outside of town, such as grading, stormwater, and other factors that would inflate the cost of housing. Addressed the comments heard at the neighborhood meeting, specifically about making improvements to West Palouse River Drive for safer driving conditions.

Chris Carpenter, Moscow, spoke in favor of the proposed development and Comprehensive Plan Amendment. Mentioned the rising costs for buying homes in Moscow and not having the supply for the increased demand to purchase.

Kirk Harden, Moscow, spoke in favor of the proposed development. Specifically mentioned that local farmers do not want to farm around residential areas, so the proposed development makes sense because the property is not good for agricultural use.

Richard Beebe, Moscow, spoke in favor of the proposed development. Talked about affordable housing and workforce housing in Moscow and the options that would be provided.

Hailey Lewis, Pullman, spoke neutrally about the proposed development. Requested information about what school district the development would fall under, which was understood to be possibly West Park.

Michael Hess, Moscow, spoke in favor of the new development, from a farming perspective. Was also in favor of the workforce housing provided in the proposed subdivision. Mentioned that the City ball fields and park are already out there, so it would make sense to create residential areas close to those.

Nancy Tribble, Moscow, spoke in favor of the proposed development. Asked about the possible influx of children in the schools and the need to expand the school district. Had a concern about incorporating larger yards on the lots for families. Discussed the high cost of building new homes and some complications surrounding that.

Doug Gadwa, Moscow, spoke in favor of the proposed development, but had some concerns: the Conestoga intersection with West Palouse River Drive power pole, entrance to West Palouse River Drive from Augustine Avenue sightlines, school bus access and stopping points in the subdivision, and improving West Palouse River Drive from Conestoga to the end of City limits to the west. It was also asked about how West Palouse River Drive would be the only road and handle the traffic for the entire 253-acres.

David Hall, Moscow, spoke against the proposed developments, especially regarding water sustainability. Environmental reviews are conducted in City of Pullman at the application stage for new developments. The proposed development would be more than 1% of the current usage of all Moscow.

Timothy Clyde, Moscow, spoke neutrally and/or against the development. Expressed concern about the Augustine Avenue bridge and the private water line running across the property, as well as the increased traffic at the West Palouse River Drive and Augustine Avenue intersection.

Cynthia Mika, Moscow, spoke neutrally about the proposed development. Conestoga, north of Palouse River Drive, is considered a local street, while the portion south would be a collector street. Discussed the

possibility of residents using Conestoga to access the University instead of taking Palouse River Drive to Highway 95.

Doug Olson, Moscow, spoke against the project, citing building costs are higher than usual, and so there would not be any savings to pass on to a potential buyer for affordable housing. He was concerned about the City sewer system not being able to handle the new houses, and the annexation would require another fire station, more schools, and a bigger police department to accommodate more residents. Some talk about wear, tear, and safety of Palouse River Drive and how dust control is already an issue. His property is served by well water near the west entrance to the proposed subdivision.

Martina Jilek, Moscow, spoke against the proposed development, expressing concern about environmental and wildlife impacts of the project.

Catherine Brown, Moscow, spoke against the proposals, specifically regarding potential increased traffic on Conestoga.

Scott Sumner (applicant), Moscow, responded to the comments surrounding the potential need to expand the school district, suggesting that the annexed land could provide room to build a new school, fire station, and other necessary infrastructure. Bus drop-off and pick-up zones could be marked for the safety of student traffic. There is a proposed pathway route through development to the arboretum, ball fields, and other areas of Moscow. Sumner addressed dust control and concurred that improvements to Palouse River Drive would benefit everyone.

Parish submitted three (3) mailed/emailed citizen comments to the public record.

Public Hearing closed at 8:04 PM

City Council is currently considering a participation agreement between the City and the developer to improve West Palouse River Drive on the south side, from Conestoga to Highway 95. All the infrastructure would be required to be completed before any lots are developed. The first phase of the proposed development would be higher density and then would work back to a more medium density area further to the south. Access across SEL's land to Highway 95 would be important and that was why there would be a stubbed street to the east of the development.

The developers are continuing discussions with the school district, fire department, water department, and SEL regarding future development. Water availability has been addressed for the first phase of the project. The Commission expressed concerns about future water sustainability. Part of the project was designated RO to allow the flexibility of creating a mixture of residential and commercial properties.

The City ball fields are not currently in the Capital Improvement Plan (CIP), mostly because of the substantial cost of building a bridge and costs of constructing the street. If the proposed development and annexation is approved, the ball fields would likely be added to the CIP for the near future. Some more discussion about the City improving West Palouse River Drive, the costs of improvements and upgrades, and the necessity of safe roads.

Reese moved to recommend approval of the Comprehensive Plan Amendment with no conditions as recommended by Staff, seconded by Gropp. Vote by Acclamation; Ayes: Unanimous (7). Nays: None. Abstentions: None. Motion carried.

Reese moved to recommend approval of the Rezone with no conditions as recommended by Staff, seconded by Seever. Vote by Acclamation; Ayes: Unanimous (7). Nays: None. Abstentions: None. Motion carried.

Seever moved to recommend approval of the Preliminary Plat with one condition as recommended by Staff, seconded by Nelsen. Vote by Acclamation; Ayes: Unanimous (7). Nays: None. Abstentions: None. Motion carried.

Reese moved to direct Staff to draft the Relevant Criteria and Standards for all three applications, seconded by Gropp. Vote by Acclamation; Ayes: Unanimous (7). Nays: None. Abstentions: None. Motion carried.

4. Public Hearing: Legislative Hearing Providing for the Amendment of Moscow City Code Title 4, Chapter 6; Providing for the Amendment of the Moscow Sign Code (ACTION ITEM)

The Supreme Court Case, Reed vs. Town of Gilbert, in 2015 clarified when municipalities may impose content-based restrictions on signage. There are various places within the Sign Code which apply content-based restrictions and need to be amended to comply with the Supreme Court's ruling. Staff has completed a draft ordinance to convert portion of the sign code into table format and presented the proposed changes to the Latah County Board of Realtors on February 18, 2021.

Ray presented the proposed City Code Sign Amendment as described above, reviewing the material that the Commission had gone over for the past year. Some new updates recommended eliminating verbiage surrounding off-premise and on-premise sign regulations.

Public Hearing opened at 8:46 PM

Chris Carpenter, Moscow, spoke neutrally about the proposal. The number of signs for residential event posting was set to six (6) per event, and was judged as a good middle-ground for advertising based on varying needs. Previously, signs in the public right of way were not allowed.

Public Hearing closed at 8:49 PM

Nelsen moved to recommend approval of the Sign Code Amendment with no conditions as recommended by Staff, seconded by Hamilton. Vote by Acclamation; Ayes: Unanimous (7). Nays: None. Abstentions: None. Motion carried.

5. Final Development Review at 201 W Sixth Street – Sixth and Jackson Development (ACTION ITEM)

On September 8, 2018, the Urban Renewal Agency published a request for proposals for the disposition and development of the portions of their Sixth and Jackson property that would remain after the development of Hello Walk. At the Agency's February 21, 2019 meeting, the Agency Board selected the proposal from Roderick Olps and directed staff to prepare the Exclusive Negotiation Agreement (ENA) between Mr. Olps and the Agency. On March 7, 2019 the Board approved an Exclusive Negotiation Agreement (ENA) with Mr. Olps for the disposition and development of the Agency's Sixth and Jackson property. On May 13, 2020, the Planning and Zoning Commission conducted a preliminary development review on the proposed project, but the project never advanced to the final review stage. The project was then delayed because of the Covid-19 pandemic and the Agency Board recently approved an updated project schedule at their February 18, 2021 meeting. An updated proposal was submitted to the Agency Board, which is substantially different than the original proposal. Since the subject property is located within the Legacy Crossing Overlay District, the proposed development is subject to the Legacy Crossing Design Guidelines and requires review and approval from the Planning and Zoning Commission. On March 24, 2021, the Planning and Zoning Commission conducted the preliminary development review of the proposed project and approved the proposal with two conditions related to bike parking and

stormwater management. The applicant has addressed the two conditions imposed during the preliminary review approval and has submitted final plans for review by the Commission.

Ray presented the final review as described above, reviewing the information provided in the packet as well as the timeline of the previous reviews and the updated plans to accommodate the previous conditions of approval. Bicycle parking provided on property would be available for anyone to use, whether they were property residents or visitors.

Nelsen moved to approve the Final Development Review with no conditions, seconded by Seever. Vote by Acclamation; Ayes: Unanimous (7). Nays: None. Abstentions: None. Motion carried.

6. Approval of Reasoned Statement of Relevant Criteria and Standards (ACTION ITEM)

Proposal for a Planned Unit Development (PUD), Replat, and a Preliminary Subdivision Plat for property generally located east of the intersection of Third Street and Mountain View Road within the City of Moscow. Permit Applications LUP2021-0007 and LUP2021-0008:

- 1. Proposed PUD and Preliminary Plat of a 2.16-acre parcel to create ten (10) twinhome parcels ranging from 2,643 to 6,602 square feet in size; four (4) townhouse parcels ranging from 2,505 to 4,159 square feet in size; and one (1) Neighborhood Business (NB) parcel of 18,812 square feet in size, referred to as the Replat of Lot 1, Block 1 of Harvest Hills 1st Addition and the Harvest Hills PUD.*
- 2. Proposed Preliminary Plat of a 17.2-acre area (Area #2 below) to create fifty-six (56) single-family parcels ranging from 7,219 to 24,075 square feet in size, referred to as Harvest Hills 2nd Addition.*

Seever moved to approve the Reasoned Statements of Relevant Criteria and Standards as edited, for both the PUD and the Preliminary Plat applications, seconded by Gropp. Vote by Acclamation; Ayes: Unanimous (7). Nays: None. Abstentions: None. Motion carried.

REPORTS

1. Transportation Commission Meeting

The next Transportation Commission meeting is scheduled to occur on May 13, 2021.

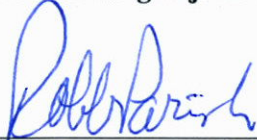
ANNOUNCEMENTS

Welcomed a new commissioner Drew Davis to the Planning & Zoning Commission.

UPCOMING EVENTS/MEETINGS

- 1. Next Planning & Zoning Commission regular meeting is scheduled for May 26, 2021.*

The meeting adjourned at 9:01 PM



Robb Parish, Chair

**BEFORE THE PLANNING AND ZONING COMMISSION
OF THE CITY OF MOSCOW, COUNTY OF LATAH,
STATE OF IDAHO**

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS REGARDING THE REVIEW OF A TWO-HUNDRED THIRTY-FIVE (235) ACRE AREA OF LAND PROPOSED TO BE ANNEXED INTO THE CITY OF MOSCOW AND LOCATED SOUTH OF THE WEST PALOUSE RIVER DRIVE BALL FIELDS PROPERTY AND WEST OF THE SCHWEITZER ENGINEERING LABORATORIES PROPERTY.

WHEREAS, the applicant filed an application for Annexation, Comprehensive Plan Land Use Designation, and Rezone on March 26, 2021; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on May 12, 2021; and

WHEREAS, having reviewed the application, including all exhibits entered, and having considered the issues presented by the applicant and the opponents:

**THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW, IDAHO,
AFTER DUE DELIBERATION AND CONSIDERATION, HEREBY CONCLUDES:**

I. RELEVANT FACTS AND CONCLUSIONS

1. The Planning and Zoning Commission considered the request pursuant to the City of Moscow 2019 Comprehensive Plan, City of Moscow Zoning Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The subject property is an approximately 235-acre property proposed to be annexed into the City of Moscow and generally located south of the west Palouse River Drive ball fields property and west of the Schweitzer Engineering Laboratories property.
3. Under Idaho Code, prior to the annexation of property within the City, the Planning and Zoning Commission must conduct a public hearing and make a recommendation to the City Council as to the appropriate land use designation and zoning designation to be applied to the property upon annexation.
4. The subject property is primarily being used for agricultural production. The subject property is surrounded by primarily agricultural land to the west and the south, Schweitzer Engineering Laboratories property to the east, and the City's West Palouse River Drive ball fields property to the north. The South Fork of the Palouse River currently flows through the ball fields property to the north.
5. Within the 2019 Moscow Comprehensive Plan, the subject property is currently designated as Auto-Urban Residential and Rural and Agricultural and the proposal is a combination of the High-Density Residential and Auto-Urban Residential designations.
6. Auto-Urban Residential (AU-R) designated areas,

“contain predominantly single-family detached homes on lots ranging from 7,000 to 11,000 square feet in size and are more isolated from surrounding uses which may require residents to rely more on automobile transportation. This designation includes those areas generally anticipated to be developed for low- to moderate-density residential uses at densities between three to six units per acre which could include a mix of detached single-family, twinhome, and townhome residential dwellings. Appropriate current zoning for Auto-Urban Residential designated areas include Low Density Residential (R-1), Moderate Density Single Family Residential (R-2) and Medium Density Residential (R-3) in order to include a mixture of attached and detached dwellings where appropriate.”

7. High-Density Residential designated areas are intended to,
“allow the highest density residential development at common densities between 15 and 26 units per acre. Areas appropriate for this designation include those located adjacent to areas of higher activity where there is a range of uses. High-Density Residential areas should be located adjacent or in close proximity to designated arterial or collector streets. New areas of high-density residential development should be located near mixed-use activity areas and corridors that accommodate multi-modal transportation. Lands designated as Urban Residential are generally appropriately zoned Medium Density Residential (R3), Multiple Family Residential (R-4), or Residential Office (RO).”
8. The subject property and adjacent properties immediately to the west and south within Latah County are currently designated as Agriculture/Forestry (AF).
9. The West Palouse River Drive ball fields to the north is currently designated as Farm Ranch and Open Space and the Schweitzer property to the east is designated as Motor Business (MB). Manufactured home parks and Idaho Transportation Department’s service yard on the south side of Palouse River Drive are zoned MB.
10. The subject property has access via Palouse River Drive which is designated as a minor arterial. Palouse River Drive is currently not developed to the minor arterial standard which is a 34-foot-wide roadway section with curb, gutter, and sidewalks on both sides of the street. The roadway is currently paved, but there is intermittent curbing and sidewalks, typically only on one side of the street. Frontage improvements that have occurred on Palouse River Drive are mainly on the north side of the street as a result of subdivision development.
11. The applicant conducted a neighborhood meeting with affected property owners within 600 feet of the subject property on March 19, 2021 to discuss the proposal.
12. Based upon the availability of public services, constructed adjacent roadway, access and surrounding land use patterns, the Commission concludes that it is appropriate for the property to be designated as High-Density Residential and Auto-Urban Residential upon annexation into the City of Moscow.

BASED ON THE ABOVE RELEVANT FACTS AND CONCLUSIONS, THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW HEREBY FINDS THE FOLLOWING RELEVANT CRITERIA AND STANDARDS:

II. RELEVANT CRITERIA AND STANDARDS

1. **The proposed Comprehensive Plan amendment is consistent with Comprehensive Plan goals, objectives, and implementation actions.** The proposed designations for the subject property of

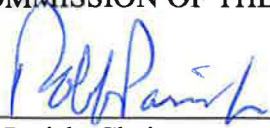
High-Density Residential and Auto-Urban Residential are consistent with the purposes, goals, objectives and policies of the Comprehensive Plan and are consistent with the surrounding properties, as well as the surrounding land use and development patterns.

2. **The proposed Comprehensive Plan amendment would provide for the logical and orderly location of land uses, community services and facilities.** The Commission finds that the proposed designation of High-Density Residential and Auto-Urban Residential is logical and harmonious with the surrounding land uses and development, and is consistent with the land use designations of the surrounding property to the north, northeast, and east of the subject property.
3. **The uses expected to occur as a result of the Comprehensive Plan amendment will be compatible with the surrounding area.** The zoning districts that are consistent with the AU-C designation exist within the current City Limits boundary to the north, northeast, and east. The adjacent properties to the north and east are primarily a range of residential uses with some commercial uses.
4. **The size, type, and density of development expected to occur as a result of the Comprehensive Plan amendment will not place an undue burden upon delivery of services provided by any political subdivision within the planning jurisdiction.** The proposed designation is suitable for the area and will not unduly burden the neighborhood of public infrastructure. The subject property has direct access, via Palouse River Drive which is a minor arterial, as well as sufficient and available public utility services to meet the needs of existing and future development.
5. **The proposed Comprehensive Plan amendment is deemed to be appropriate in consideration of changing conditions within the community that are not reflected within the current Comprehensive Plan (such as new development or re-development, land use patterns and/or trends, traffic patterns and/or volume, market demands, community vision and/or needs, capital improvements, or new or revised City plans).** The Commission finds that the land use patterns within the immediate vicinity of the subject property have been transitioning into higher intensity commercial and residential uses. The Schweitzer Engineering Laboratories property directly to the east is 150 acres in size and was annexed into the City last year. The Comprehensive Plan Land Use Designation that was adopted for that property was the Auto-Urban Commercial designation. The proposed land use designations of High-Density Residential and Auto-Urban Residential provide for a logical transition from some the commercial uses that are expected to be developed in the area.

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City of Moscow Planning and Zoning Commission recommends approval of the proposed Comprehensive Plan Land Use Designation change request for the approximately 235-acre property from the combination of the Auto-Urban Residential and Rural and Agricultural designations to the combination of the High-Density Residential and Auto-Urban Residential designations with no conditions.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW this
26th day of May, 2021.



Robb Parish, Chair
Planning and Zoning Commission

**BEFORE THE PLANNING AND ZONING COMMISSION
OF THE CITY OF MOSCOW, COUNTY OF LATAH,
STATE OF IDAHO**

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS REGARDING A REQUEST FOR THE REZONE OF AN APPROXIMATELY TWO-HUNDRED THIRTY-FIVE (235) ACRE AREA OF LAND PROPOSED TO BE ANNEXED INTO THE CITY OF MOSCOW AND LOCATED SOUTH OF THE WEST PALOUSE RIVER DRIVE BALL FIELDS PROPERTY AND WEST OF THE SCHWEITZER ENGINEERING LABORATORIES PROPERTY FROM THE AGRICULTURE FORESTRY (AF) ZONE TO THE RESIDENTIAL OFFICE (RO) ZONE AND THE MEDIUM DENSITY RESIDENTIAL (R-3) ZONE.

WHEREAS, the applicant filed an application for Annexation, Comprehensive Plan Land Use Designation, and Rezone on March 26, 2021; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on May 12, 2021; and

WHEREAS, having reviewed the application, including all exhibits entered, and having considered the issues presented by the applicant and the opponents:

THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW, IDAHO, AFTER DUE DELIBERATION AND CONSIDERATION, HEREBY CONCLUDES:

I. RELEVANT FACTS AND CONCLUSIONS

1. The Planning and Zoning Commission considered the request pursuant to the City of Moscow 2019 Comprehensive Plan, City of Moscow Zoning Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The subject property is an approximately 235-acre property proposed to be annexed into the City of Moscow and generally located south of the west Palouse River Drive ball fields property and west of the Schweitzer Engineering Laboratories property.
3. Under Idaho Code, prior to the annexation of the property within the City, the Planning and Zoning Commission is required to review the subject property and provide the City Council with a recommendation regarding the appropriate future land use designation and zoning designation to be applied to the subject property upon annexation.
4. The subject property is primarily being used for agricultural production. The subject property is surrounded by primarily agricultural land to the west and the south, Schweitzer Engineering Laboratories property to the east, and the City's West Palouse River Drive ball fields property to the north. The South Fork of the Palouse River currently flows through the ball fields property to the north.

5. Within the 2019 Moscow Comprehensive Plan, the subject property is currently designated as Auto-Urban Residential and Rural and Agricultural and the proposal is a combination of the High-Density Residential and Auto-Urban Residential designations.
6. Auto-Urban Residential (AU-R) designated areas,

“contain predominantly single-family detached homes on lots ranging from 7,000 to 11,000 square feet in size and are more isolated from surrounding uses which may require residents to rely more on automobile transportation. This designation includes those areas generally anticipated to be developed for low- to moderate-density residential uses at densities between three to six units per acre which could include a mix of detached single-family, twinhome, and townhome residential dwellings. Appropriate current zoning for Auto-Urban Residential designated areas include Low Density Residential (R-1), Moderate Density Single Family Residential (R-2) and Medium Density Residential (R-3) in order to include a mixture of attached and detached dwellings where appropriate.”
7. High-Density Residential designated areas are intended to,

“allow the highest density residential development at common densities between 15 and 26 units per acre. Areas appropriate for this designation include those located adjacent to areas of higher activity where there is a range of uses. High-Density Residential areas should be located adjacent or in close proximity to designated arterial or collector streets. New areas of high-density residential development should be located near mixed-use activity areas and corridors that accommodate multi-modal transportation. Lands designated as Urban Residential are generally appropriately zoned Medium Density Residential (R3), Multiple Family Residential (R-4), or Residential Office (RO).”
8. The subject property and adjacent properties immediately to the west and south within Latah County are currently designated as Agriculture/Forestry (AF).
9. The West Palouse River Drive ball fields to the north is currently designated as Farm Ranch and Open Space and the Schweitzer property to the east is designated as Motor Business (MB). Manufactured home parks and Idaho Transportation Department’s service yard on the south side of Palouse River Drive are zoned MB.
10. The applicant is concurrently proposing to rezone the subject property from the Agriculture Forestry (AF) Zone to the Residential Office (RO) Zone and Medium Density Residential (R-3) Zone.
11. According to the City of Moscow Zoning Code, the RO Zone is a moderately intensive zone including both offices and high-density housing. It serves as a transitional Zoning District between residential Zoning Districts and commercial or industrial Zoning Districts.
12. The RO Zoning District is appropriately applied in the following circumstances:
 1. On the perimeter of commercial or industrial districts where they abut residential land uses;
 2. Where transportation network use is greater than desirable for lower density residential uses;
 3. Where landforms create sites which are reasonably accessible by transportation systems and which are buffered from nearby residential areas; and
 4. Where the development patterns in a neighborhood will allow development of moderate intensity to occur without producing adverse visual impact or harm to the transportation network.

13. Uses permitted within the RO Zone include single family dwellings, two family dwellings, multi-family dwellings, twinhomes, townhouses, market and community gardens, veterinary services, professional offices, restaurants up to 1,500 sf in size, group and small child care facilities, community/neighborhood centers, health care services, public parks and recreation facilities, telecommunications services, personal care services, and bed and breakfast inns.
14. The Medium Density Residential (R-3) Zoning District provides for an increase over the density allowed by the R-2 zoning district by permitting different types of housing construction. It is appropriate where activity levels are moderate, terrain permits construction of somewhat larger structures, and where public systems and neighborhood facilities can accommodate a greater intensity of land use as guided by the Comprehensive Plan.
15. Uses permitted within the R-3 Zone include single-family dwellings, two family dwellings, twinhomes, townhouses, market and community gardens, group and small child care facilities, and public parks and recreation facilities. The subject property has property frontage along Highway 95. Highway 95 is designated as a National Highway and is developed as a 24-foot-wide paved roadway with northbound and southbound travel lanes and minimal gravel shoulders on both sides.
16. The applicant conducted a neighborhood meeting with affected property owners within 600 feet of the subject property on March 19, 2021 to discuss the proposed rezone.

BASED ON THE ABOVE RELEVANT FACTS AND CONCLUSIONS, THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW HEREBY FINDS THE FOLLOWING RELEVANT CRITERIA AND STANDARDS:

II. RELEVANT CRITERIA AND STANDARDS

1. **The proposed rezone is consistent with Comprehensive Plan goals, objectives, and implementation actions.** The proposed rezone is consistent with the proposed 2019 Comprehensive Plan Land Use Designations of Auto-Urban Residential and High-Density Residential.
2. **The proposed rezone would provide for the logical and orderly location of land uses and community services and facilities.** The proposed combination of the Residential Office (RO) Medium Density Residential (R-3) Zones provide for the transition of higher density residential in close proximity to Palouse River Drive and the City's Ball Fields property, to lower density towards the south of the property where there is more challenging topography. The proposed zoning and uses are consistent with the surrounding area and will not unduly burden the neighborhood of public infrastructure.
3. **The uses expected to occur as a result of the rezone will be compatible with the surrounding area.** The proposed zoning is consistent with adjacent zoning districts and will create a logical and orderly zoning configuration for the subject area. The adjacent properties along Palouse River Drive are a combination of residential uses of varying densities, as well as commercial uses.
4. **The size, type, and density of development expected to occur as a result of the rezone will not place an undue burden upon delivery of services provided by any political subdivision within the planning jurisdiction.** The proposed zoning and uses are suitable for the area and will not unduly burden the area of public infrastructure.
5. **The size, type, and density of development expected to occur as a result of the rezone can be adequately served by the existing transportation network, public facilities and services.** The

subject property has street access via Palouse River Drive, which can adequately serve any proposed development allowed in the RO or R-3 Zone. The subject property has sufficient and available public utility services to meet the needs of existing and future development.

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the Planning and Zoning Commission of the City of Moscow recommends approval of the rezone request for the approximately 235-acre property generally located south of the west Palouse River Drive ball fields property and west of the Schweitzer Engineering Laboratories property from the Agriculture Forestry (AF) Zone to the Residential Office (RO) Zone and Medium Density Residential (R-3) Zone with no conditions.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW this
26th day of May, 2021.



Robb Parish, Chair
Planning and Zoning Commission

**BEFORE THE PLANNING AND ZONING COMMISSION
OF THE CITY OF MOSCOW, COUNTY OF LATAH,
STATE OF IDAHO**

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS REGARDING A REQUEST FOR A PRELIMINARY SUBDIVISION PLAT OF A TWENTY-SEVEN POINT ONE TWO (27.12) ACRE AREA OF LAND GENERALLY LOCATED SOUTH OF THE WEST PALOUSE RIVER DRIVE BALL FIELDS PROPERTY AND WEST OF THE SCHWEITZER ENGINEERING LABORATORIES PROPERTY, KNOWN AS EDINGTON ADDITION TO THE CITY OF MOSCOW, IDAHO.

WHEREAS, the applicant filed an application for a Preliminary Subdivision Plat on March 26, 2021; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on May 12, 2021; and

WHEREAS, having reviewed the application, including all exhibits entered, and having considered the issues presented by the applicant and the opponents:

THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW, IDAHO, AFTER DUE DELIBERATION AND CONSIDERATION, HEREBY CONCLUDES:

I. RELEVANT FACTS AND CONCLUSIONS

1. The Planning and Zoning Commission considered the request pursuant to the City of Moscow 2019 Comprehensive Plan, City of Moscow Zoning Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The subject property is a twenty-seven-point two (27.2) acre area of land generally located south of the west Palouse River Drive ball fields property and west of the Schweitzer Engineering Laboratories property.
3. The subject property is primarily being used for agricultural production. The subject property is surrounded by agricultural land to the west and the south, Schweitzer Engineering Laboratories property to the east, and the City's West Palouse River Drive ball fields property to the north. The South Fork of the Palouse River currently flows through the ball fields property to the north.
4. Within the 2019 Moscow Comprehensive Plan, the subject property is currently designated as Auto-Urban Residential and Rural and Agricultural and the proposal is a combination of the High-Density Residential and Auto-Urban Residential designations.
5. Auto-Urban Residential (AU-R) designated areas,
"contain predominantly single-family detached homes on lots ranging from 7,000 to 11,000 square feet in size and are more isolated from surrounding uses which may require residents to rely more on automobile transportation. This designation includes those areas generally anticipated to be developed for low- to moderate-density residential uses at densities between

three to six units per acre which could include a mix of detached single-family, twinhome, and townhome residential dwellings. Appropriate current zoning for Auto-Urban Residential designated areas include Low Density Residential (R-1), Moderate Density Single Family Residential (R-2) and Medium Density Residential (R-3) in order to include a mixture of attached and detached dwellings where appropriate."

6. High-Density Residential designated areas are intended to,
"allow the highest density residential development at common densities between 15 and 26 units per acre. Areas appropriate for this designation include those located adjacent to areas of higher activity where there is a range of uses. High-Density Residential areas should be located adjacent or in close proximity to designated arterial or collector streets. New areas of high-density residential development should be located near mixed-use activity areas and corridors that accommodate multi-modal transportation. Lands designated as Urban Residential are generally appropriately zoned Medium Density Residential (R3), Multiple Family Residential (R-4), or Residential Office (RO)."
7. The subject property and adjacent properties immediately to the west and south within Latah County are currently designated as Agriculture/Forestry (AF).
8. The West Palouse River Drive ball fields to the north is currently designated as Farm Ranch and Open Space and the Schweitzer property to the east is designated as Motor Business (MB). Manufactured home parks and Idaho Transportation Department's service yard on the south side of Palouse River Drive are zoned MB.
9. The applicant is concurrently proposing to rezone the subject property from the Agriculture Forestry (AF) Zone to the Residential Office (RO) Zone and Medium Density Residential (R-3) Zone.
10. According to the City of Moscow Zoning Code, the RO Zone is a moderately intensive zone including both offices and high-density housing. It serves as a transitional Zoning District between residential Zoning Districts and commercial or industrial Zoning Districts.
11. The RO Zoning District is appropriately applied in the following circumstances:
 1. On the perimeter of commercial or industrial districts where they abut residential land uses;
 2. Where transportation network use is greater than desirable for lower density residential uses;
 3. Where landforms create sites which are reasonably accessible by transportation systems and which are buffered from nearby residential areas; and
 4. Where the development patterns in a neighborhood will allow development of moderate intensity to occur without producing adverse visual impact or harm to the transportation network.
12. Uses permitted within the RO Zone include single family dwellings, two family dwellings, multi-family dwellings, twinhomes, townhouses, market and community gardens, veterinary services, professional offices, restaurants up to 1,500 sf in size, group and small child care facilities, community/neighborhood centers, health care services, public parks and recreation facilities, telecommunications services, personal care services, and bed and breakfast inns.
13. The Medium Density Residential (R-3) Zoning District provides for an increase over the density allowed by the R-2 zoning district by permitting different types of housing construction. It is appropriate where activity levels are moderate, terrain permits construction of somewhat larger

structures, and where public systems and neighborhood facilities can accommodate a greater intensity of land use as guided by the Comprehensive Plan.

14. Uses permitted within the R-3 Zone include single-family dwellings, two family dwellings, townhomes, market and community gardens, group and small child care facilities, and public parks and recreation facilities.
15. The applicant is proposing to subdivide the 27-acre area into 105 lots ranging from 2,328 to 63,105 square feet in size, referred to as Edington Subdivision.
16. There are 20 lots that are proposed within the RO Zone, with 17 being townhouse lots. The R-3 Zoned portion of the project is proposed to contain 55 townhouse lots and 30 standard single-family lots. All of the proposed lots meet the minimum lot size and width for their respective proposed zoning districts.
17. The minimum lot size for single-family, two-family, and multi-family dwellings parcels within the RO Zone is 5,000 sf or 800 sf per dwelling unit, whichever is greater. Townhouse dwellings have a minimum lot size of 1,800 sf and twinhome dwellings require 2,250 square feet. The minimum lot width for single-family, two-family, and multi-family dwellings is 50 feet, 18 feet for townhouses, and 25 feet for twinhomes.
18. The minimum lot size for detached single family lots within the R-3 Zone is 6,000 sf and townhouse lots require 2,000 square feet. The minimum lot width for detached single family lots within the R-3 Zone is 60 feet (50 feet for lots with alley access). The minimum townhouse lot width is 20 feet for the R-3 Zone.
19. The Zoning Code contains specific standards for townhouses which includes unit grouping and spacing, guest parking, and common open space requirements. Townhouse buildings shall contain no more than 8 contiguous units and the spacing between townhouse buildings shall be no less than 16 feet. Spacing between townhouse buildings shall include a four 4-foot-wide pedestrian easement and sidewalk joining the alley, or rear of the townhouse development, to the public sidewalk adjacent to the front public street.
20. Townhouse developments of more than twenty-four 24 units shall provide off-street guest parking at the rate of 1 stall per each 4 townhouse units. Such guest parking shall be located within the required spacing between townhouse buildings or at the rear of the townhouse buildings. Townhouse developments of more than 24 units shall also provide functional common open space of 75 square feet per unit. Such common open space shall be of a functional size, the smallest dimension of which shall not be less than 30 feet and shall include landscaped and turf areas and shall include at least 2 different furnishings such as benches, picnic tables, children's play equipment or other similar items.
21. The Commission finds that the grouping, spacing, pedestrian easements, and open space meet the townhouse standards. All additional standards will be verified when construction drawings are submitted.
22. There are numerous tracts throughout the proposed subdivision that are intended to provide stormwater detention facilities, as well as common off-street parking, and pedestrian paths.
23. The subject property has access via Palouse River Drive which is designated as a minor arterial. Palouse River Drive is currently not developed to the minor arterial standard which is a 34-foot-wide roadway section with curb, gutter, and sidewalks on both sides of the street. The roadway is currently paved, but there is intermittent curbing and sidewalks, typically only on one side of the street. Frontage improvements that have occurred on Palouse River Drive are mainly on the north side of the street as a result of subdivision development.

24. There are proposed to be two access points to Palouse River Drive. One access point is on the west side after the South Fork of the Palouse River bridge and the other is at the east end which is the extension of Conestoga Street across the City's ball fields property. As part of the extension of Conestoga Street to the south to the subject property, a bridge will be constructed across the South Fork of the Palouse River.
25. As part of the agreement that the City Council directed Staff to draft on May 3, 2021, the applicant agrees to construct, at the applicant's expense, the frontage improvements to the south side of West Palouse River Drive to include installation of curbing, sidewalk and roadway widening to improve West Palouse River Drive to thirty-four (34) feet in width from the intersection with Conestoga Street and continuously extending to US 95/South Main Street.
26. Also part of the agreement is the City's contribution to the construction of the Conestoga Street extension and bridge at 50% of the actual cost of the Conestoga Street extension, up to a maximum amount of \$1,078,210.
27. There are two main access points from Palouse River Drive to the proposed subdivision. The street extending from the west is proposed to be Augustine Avenue, which will be developed to the collector standard which is a 34-foot paved width with two travel lanes, bike lanes on both sides, and no on-street parking. Curb, gutter, tree lawns, and sidewalks are also required on both sides of the street. The extension of Conestoga Street to the east is also proposed to be a collector street developed to the same standard as Augustine Avenue. The City's Thoroughfare Plan shows the general alignment of two collector streets at the same alignment as the proposed Conestoga Street extension and Augustine Avenue.
28. The primary street which provides a connection to Conestoga Street and Augustine Avenue is Edington Street which is proposed to be developed as a 36-foot-wide local street which includes curb, gutter, tree lawns, sidewalks, and parking on both sides of the street. All of the proposed lots within the subdivision will have public street frontage as well as rear public alley access. There are multiple alley entrance points from Edington Avenue and the blocks are laid out in a semi-gridded network.
29. Per the City's townhouse standards, there are multiple pedestrian easements which will contain 4-foot-wide sidewalks in-between the grouping of townhouse buildings. A public pathway is proposed on the linear Tract C between the subdivision and the ball fields property to the north.
30. There are two additional local streets which make up the grid network, which are Chesterton Drive and Luther Drive. These proposed streets are stubbed to the southern boundary of the proposed subdivision and are intended to extend to future subdivisions to the south.
31. Water mains will be extended throughout the subdivision from the existing mains within Palouse River Drive. The property is considered developable in the City's Comprehensive Water System Plan dated January 2012. The Engineering Department has determined that the existing system has adequate potable and fire flows to serve the proposed subdivision.
32. Sanitary sewer is proposed to be extended throughout the subdivision primarily within the alleys. A main will then be extended in an east/west direction across the ball field property to a lift station that will be constructed to serve the proposed subdivision.
33. Storm sewer will be piped and directed to numerous stormwater detention ponds located within the proposed subdivision. The detention facilities of the proposed development will need to meet Moscow's Stormwater Runoff Control Standards which required the stormwater to be detained to the pre-development rate. The stormwater is then conveyed from the detention facilities to the South Fork of the Palouse River.

34. The proposed subdivision falls under the requirements of the parkland dedication codes of the City. The subject property contains 4.2 acres of net developable area of platted RO Zoned property, which requires a 9% dedication. There is 9.16 acres of net developable area within the R-3 Zone which requires a 7% dedication. The total parkland dedication for the proposed subdivision is 1.02 acres. The applicant has submitted a letter proposing to defer the parkland dedication to a later phase, which was reviewed by the Parks and Recreation Commission and Pathways Commission. Both Commissions recommended approval of deferring the parkland dedication during their April 13, 2021 and April 22, 2021 regular meetings.
35. The applicant conducted a neighborhood meeting with affected property owners within 600 feet of the subject property on March 19, 2021 to discuss the proposed preliminary plat.

BASED ON THE ABOVE RELEVANT FACTS AND CONCLUSIONS, THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW HEREBY FINDS THE FOLLOWING RELEVANT CRITERIA AND STANDARDS:

II. RELEVANT CRITERIA AND STANDARDS

1. **The proposed subdivision is in conformance with all applicable City Code requirements.** The proposed preliminary plat is consistent with and in conformance with the requirements and provisions of the Residential Office (RO) and Medium Density Residential (R-3) Zoning Districts, including lot area, dimensions and other relevant provisions. The proposed preliminary plat is also in conformance with the general requirements of the Moscow Subdivision Ordinance including, but not limited to, the provision of the logical and orderly connection to the City's street network, public utilities, and the provision of public parkland
2. **The proposed subdivision is in general conformance with the Comprehensive Plan.** The proposed preliminary plat is consistent with the City of Moscow Comprehensive Plan and provides for the logical and orderly development and extension of the City's street system. The extension of Augustine Street and Conestoga Street is consistent with the Thoroughfare Plan. The proposed lots sizes and densities are consistent with the proposed Comprehensive Plan Land Use designation of Auto-Urban Residential and High-Density Residential.
3. **Public Services and utilities are available or can be made available and are adequate to accommodate the proposed subdivision.** The subject property has direct access to Palouse River Drive which is a minor arterial, and includes the extension of Conestoga Street and Augustine Street which are designated as collector streets. Water and Sewer connections are readily available in the area and a sanitary sewer main is proposed to be extended across the West Palouse River Drive ball fields to a new lift station that will be constructed as part of the subdivision. The Engineering Department has determined that the existing system has adequate potable and fire flows and sewer capacity to serve the proposed subdivision.
4. **The proposed subdivision will not be detrimental to the public health, safety, or general welfare.** The proposed preliminary plat provides for the extension of City streets and services and will not be detrimental to the public health, safety, or general welfare.

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the Planning and Zoning Commission of the City of Moscow recommends approval of the preliminary subdivision plat request for the twenty-seven point one two (27.12) acre area of land generally located south of the West Palouse

River Drive ball fields property and west of the Schweitzer Engineering Laboratories property within the City of Moscow with one (1) condition:

1. Water and sanitary sewer mains shall be extended to the western edge of the subject property boundary to allow the future extension of services to adjacent properties.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW this
26th day of MAY, 2021.



Robb Parish, Chair
Planning and Zoning Commission